

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION AT KNOXVILLE**

In re	:	
	:	
BARKER SLEEP MEDICINE PROFESSIONALS, PLLC	:	Case No. 3:23-bk-32132-SHB
	:	Chapter 11 – Subchapter V
	:	
Debtor	:	

BARKER SLEEP MEDICINE PROFESSIONALS, PLLC	:	
	:	
	:	
Plaintiff	:	Adv. Proc. No. _____
	:	
MCA DEBT ADVISORS, LLC	:	
	:	
Defendant	:	

COMPLAINT

Pursuant to 11 U.S.C. § 542, Barker Sleep Medicine Professionals, PLLC (“BSMP”) requests an accounting from and turnover by MCA Debt Advisors, LLC (“MDA”). In support of its Complaint, BSMP alleges:

- (1) On December 11, 2023, BSMP filed its Chapter 11 Subchapter V Voluntary Petition.
- (2) BSMP has continued to operate its business as a debtor-in-possession.
- (3) MDA is a Wyoming limited liability company. MDA may be served by first class mail addressed to its registered agent: LEGALINC CORPORATE SERVICES, INC., 5830 E. 2nd Street, Suite 8, Casper, Wyoming 82609. Additionally, a copy of this Complaint and a Summons shall be mailed to MDA’s registered office address: 2545 Railroad Street, Suite 100, Pittsburgh, Pennsylvania 15222.

(4) The Court has jurisdiction under 28 U.S.C §§ 157 and 1334, and the July 12, 1984 Standing Order of the United States District Court for the Eastern District of Tennessee entitled Reference of Matters to the Bankruptcy Court. Venue is appropriate in this Court pursuant to 28 U.S.C. §§ 1408 and 1409. This is a core proceeding under 28 U.S.C. § 157(b)(2)(E).

(5) BSMP and MDA entered into a Letter of Engagement on or about January 19, 2023. BSMP made the following payments to MDA with the expectation MDA would negotiate with and settle debts owing to BSMP creditors:

Date	Amount
01/27/2023	\$2,442.87
02/07/2023	\$4,776.43
02/21/2023	\$6,578.34
03/07/2023	\$8,098.24
03/28/2023	\$7,999.24
04/04/2023	\$7,999.24
04/24/2023	\$8,098.24
05/08/2023	\$8,037.24
05/15/2023	\$8,098.24
05/30/2023	\$7,999.24
06/12/2023	\$8,098.24
06/26/2023	\$7,999.24
07/10/2023	\$8,098.24
07/24/2023	\$7,999.24
09/07/2023	\$3,000.00

(6) On November 9, 2023, BSMP's attorney sent MDA a letter requesting an accounting and terminating the agreement. No response was received from MDA.

(7) On December 12, 2023, BSMP's attorney sent MDA another letter informing MDA of the Chapter 11 filing and requesting an accounting and turnover of property of the estate held by MDA. No response has been received.

(8) MDA is holding property of the estate which should be turned over to BSMP.

WHEREFORE, BSMP requests the following relief:

1. That the Court order MDA to provide an accounting of funds received and payments disbursed on behalf of BSMP.
2. That the Court order turnover to BSMP by MDA of any funds held by MDA which are property of the estate.
3. That the Court award BSMP interest from the December 12, 2023 demand date and attorney fees.
4. That the costs of this proceeding be taxed to MDA.
5. That BSMP have such other and further relief to which it may be entitled.

/s/ Maurice K. Guinn

Maurice K. Guinn

(Bar Code No. 000366)

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